

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED MAR 04 2009

JORDAN ALLEN TAIT : CIVIL ACTION

v. : :

VINCENT GUARINI, et al. : NO. 08-4180

ORDER

AND NOW, this 4 day of , 2009, upon careful and independent review of the Report and Recommendation of Thomas J. Rueter, Chief United States Magistrate Judge, it is hereby

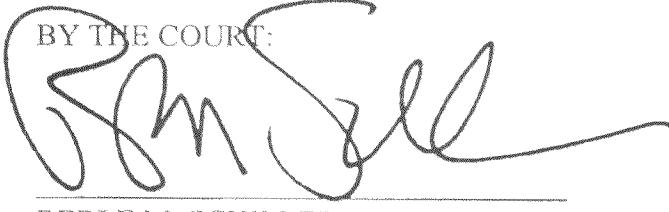
ORDERED

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies; and
3. A certificate of appealability is not granted.

ENTERED

March 3 2009

CLERK OF COURT

BY THE COURT:

BERLE M. SCHILLER, J.